

Message Text

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USDOC FOR G.S. GILPATRIC FROM WRIGHT

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SUBJ: LAVINO SHIPPING CO., THREE PENN CENTER PLAZA,
PHILADELPHIA

1. SUMMARY. LAVINO SHIPPING CO HOLDING ONE CATERPILLER UNIT PURCHASED BY SYRIAN MINISTRY OF COMMUNICATIONS. DETAILS OF CASE OUTLINED BELOW AND USDOC REQUESTED TO DISCUSS WITH LAVINO TO FIND PRACTICAL SOLUTION TO APPARENT IMPASSE. END SUMMARY.

2. DR. M.Z. ABOUHARB, WHO HAS HAD SEVERAL PROBLEMS WITH J. GERALD MCELROY AND PENNSYLVANIA MINING CO (PMC), HAS ONCE AGAIN REQUESTED USDOC ASSISTANCE IN MATTER RELATED TO PMC. CASE MADE BY ABOUHARB IN LETTER TO US AS FOLLOWS. ON SEPT 12, 1974, SYRIAN MIN COMMUNICATIONS SIGNED CONTRACT WITH BRITISH FIRM ROSS & CO., 269 KILBURN HIGH ROAD, LONDON, TO SUPPLY 18 CATERPILLAR EARTHMOVING UNITS. L/C FOR \$2,392,600 WAS TRANSFERRED TO ACCOUNT OF MCGAVIN, DESANTIS AND KOCH OF PMC, 217 NORTH SIXTH STREET, READING, PA., ACCT NO. 591-1052 AT AMERICAN BANK AND TRUST CO., 35 NORTH SIXTH STREET, READING. TRANSFER TO PMC'S BANK DONE ON INSTRUCTIONS GIVEN BY UBAF BANK, PO BOX 169, COMMERCIAL UNION BLDG., EC3P3HT, ENGLAND, ON SEPT 27, 1974 WHICH HAD RECEIVED L/C FROM COMMERCIAL BANK OF SYRIA ON MIN/COMMO INSTRUCTIONS.

3. ROSS AND CO THEN ASKED AND MIN/COMMO AGREED TO CHANGE SHIPPING COMPANY REPRESENTING SYRIAN ORGANIZATION OF MARINE AND
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SHIPPING (SYRIAMAR) FROM "SCHINKER" TO LAVINO SHIPPING CO.,

3 PENN PLAZA, PHILADELPHIA, PA. 19102, PRES. MR. MULDON.

4. ROSS/MINCOMMO CONTRACT BASED ON FAS BASIS, WITH ROSS RESPONSIBLE FOR ARRANGING ARRIVAL OF UNITS AT SHIPPING AGENT AFTER CONFIRMATION WITH TURKISH CARGO LINES RE SHIPPING OF UNITS.

5. ABOUHARB STATES VESSEL CALLED TWICE TO COLLECT 18 UNITS AT LAVINO, BUT WITHOUT SUCCESS. LAVINO THEN INFORMED SYRIAMAR OF \$30,000 STORAGE CHARGES. ABOUHARB BELIEVES 18 UNITS NOT LOADED BECAUSE ROSS HAD NOT YET CLEARED ITS ACCOUNT WITH LAVINO. SYRIAMAR TELEXED LAVINO ASKING THEM TO LOAD ON DEC 3, 1974 VESSEL AND THAT SYRIAMAR WOULD PAY CHARGES FOR WHICH IT RESPONSIBLE UPON BILLING AND LOADING OF UNITS. LAVINO DID NOT LOAD UNTIL MCELROY OF PMC CALLED LAVINO FROM DAMASCUS, THEY THEN LOADED 17 OUT OF 18 UNITS ON JAN 15, 1975.

6. ONE 977L UNIT WORTH ABOUT \$85,000, SAYS ABOUHARB, HAVING BEEN ALREADY BEEN PAID FOR, STILL REMAINS WITH LAVINO. SINCE NOV 1974 SYRIAMAR HAS TELEXED LAVINO CONFIRMING CHARGES WILL BE PAID UPON RECEIPT OF BILL.

7. ABOUHARB ALSO SHOWED US LETTER HE SAYS SIGNED BY MINISTER OF COMMUNICATIONS NOTING ABOUHARB IS LOCAL AGENT FOR ROSS AND CO. AND THAT HE IS BEING HELD RESPONSIBLE FOR MISSING UNIT STILL BEING HELD IN PHILADELPHIA.

8. ABOUHARB REQUESTS OUR ASSISTANCE IN CONTACTING LAVINO AND SUGGESTING FOLLOWING "PRACTICAL" SOLUTION: LAVINO SHIP REMAINING UNIT ON FIRST AVAILABLE VESSEL; SHIPPING DOCUMENTS AND OTHER NECESSARY CLEARANCE/OWNERSHIP DOCUMENTS BE SENT BY LAVINO'S BANK TO CENTRAL BANK OF SYRIA; LAVINO'S SHIPPING COSTS AND BILL WILL BE PAID UPON RELEASE OF SUCH DOCUMENTS; UPON ARRIVAL OF DOCUMENTS, MINCOMMUNICATIONS MUST PAY BILL IN ORDER TO HAVE DOCUMENTS NECESSARY TO CLEAR THE UNIT INTO SYRIA. ABOUHARB ALSO HOPES LAVINO WILL RECONSIDER ITS STORAGE BILL AND REDUCE IT AND HE DOES NOT BELIEVE SYRIAN PURCHASER WAS AT FAULT.

9. WOULD VERY MUCH APPRECIATE USDOC DISCUSSING MATTER WITH UNCLASSIFIED

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LAVINO TO SEE IF SOME PRACTICAL SOLUTION CAN BE WORKED OUT. WE SUSPECT MIN COMMUNICATIONS HAS LEARNED LESSON FROM ITS DEALINGS WITH ROSS & CO., PMC, AND POSSIBLY ABOUHARB. MIN COMMO IS IN CHARGE OF ALL ROADBUILDING IN SYRIAN AND IS EXCELLENT CURRENT AND POTENTIAL CUSTOMER FOR AMERICAN EQUIPMENT. WE THEREFORE ARE TRYING TO PROVIDE ASSISTANCE IN THIS INSTANCE, MORE TO BENEFIT MINCOMMO AND ITS NEED FOR EQUIPMENT AND POTENTIAL SALES FROM US RATHER THAN ABOUHARB.

MURPHY

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